
The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



TUESDAY, JUNE 22, 2021.

[59]*

JOURNAL OF THE HOUSE.

Tuesday, June 22, 2021.

Met according to adjournment at eleven o'clock A.M., under emergency rules, with Mr. Garballey of Arlington in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Mr. Garballey), the members and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Silent Prayer.

During the session (Ms. Hogan of Stow being in the Chair), at the request of Mr. Soter of Bellingham, the members and employees stood in a moment of silent tribute to the memory of Roland Arcand, of Bellingham, who passed away Friday, June 18th at the age of 76.

Roland
Arcand.

Roland will be remembered as a 60-year employee of the town he lived in all his life, but he was so much more. Roland dedicated himself to the community leaving a lasting standard of public service that has never been seen, and likely will never be matched.

Under Roland's watch, the recreation areas in Bellingham grew from a few small fields in the 1980s to the hundreds of acres of parks, beaches, Town Common, and ball fields that the town residents enjoy today.

As the Bellingham Park's Superintendent, Roland's duties and supervisory responsibilities grew enormously, yet the care and vigilance to these beautiful community resources were never compromised.

Roland never counted hours or worried about punching a timecard, he committed himself from the early morning to late into the evening to ensure the children and families of Bellingham had the very best facilities to enjoy seven days a week.

When he was not involved with Parks services Roland spent time volunteering at the local church, calling Bingo numbers, working in the kitchen, and serving as a communicant for the church. Roland also volunteered for the Jimmy Fund raising thousands of dollars for the Jimmy Fund and the Jimmy Fund Walkathon.

Roland always found time for everyone, especially his wife, children, and grandchildren who adored him. Bellingham will remember Roland Arcand as a 60-year employee, but he was so much more, he was a once-in-a-generation community leader who will not be soon forgotten.

Message from the Governor.

A message from His Excellency the Governor submitting requests for making certain appropriations for fiscal year 2021 before final action on the General Appropriation Bill (House, No. 3905), was filed in the office of the Clerk on Monday, June 21.

State funds,—
emergency
expenditures.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Ways and Means.

Paper from the Senate.

A report of the committee on Municipalities and Regional Government, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1339) of Adam G. Hinds and Paul W. Mark (by vote of the town) for legislation to authorize the town of Charlemont to establish a tax on commercial recreation services, and recommending that the same be referred to the committee on Revenue,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence.

Charlemont,—
recreation tax.

Recess.

At two minutes after eleven o'clock A.M., on motion of Mrs. Ferguson of Holden (Mr. Garballey of Arlington being in the Chair), the House recessed until two o'clock P.M.; and at a quarter after two o'clock the House was called to order with Ms. Hogan of Stow in the Chair.

Recess.

Quorum.

As required under the provision of Emergency Rule 2(4), a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 160 members were recorded as being in attendance.

Quorum,—
yea and nay
No. 47.

[See [Yea and Nay No. 47](#) in Supplement.]

Therefore a quorum was present.

Orders of the Day.

The engrossed Bill relative to transferring federal funds to the federal COVID-19 response fund (see House, No. 3827, amended) which had been returned by His Excellency the Governor with recommendation of amendment (for message, see House, No. 3902), was considered.

COVID-19,—
response fund.

The committee on Bills in the Third Reading reported that the amendment recommended by the Governor be considered in the form contained in the Governor's message as approved by said committee; and the report was accepted.

After remarks on the question on adoption of the amendment recommended by the Governor, the sense of the House was taken by yeas and nays, at the request of Mr. Hunt of Boston; and on the roll call 30 member voted in the affirmative and 130 in the negative.

Governor's
amendment
rejected,—
yea and nay
No. 48.

[See [Yea and Nay No. 48](#) in Supplement.]

Therefore the amendment recommended by the Governor was rejected.

Representatives Michlewitz of Boston and Hunt of Boston then moved to amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

“SECTION 1. Subsection (b) of section 2JJJJ of chapter 29 of the General Laws, as inserted by section 1 of chapter 254 of the acts of 2020, is hereby amended by adding the following sentence:— The fund shall not be subject to section 5C.

SECTION 2. Said section 2JJJJ of said chapter 29 is hereby further amended by striking out subsection (c), as so inserted, and inserting in place thereof the following subsection:—

(c) Amounts credited to the fund may be expended for any purpose allowed under subsection (c) of section 602 of Title VI of the federal Social Security Act, 42 U.S.C. 802.

SECTION 3. Notwithstanding any general or special law to the contrary, not later than 7 days after the effective date of this act, the comptroller shall transfer \$4,891,987,249.40 allocated to the commonwealth from the Coronavirus State Fiscal Recovery Fund pursuant to section 602 of Title VI of the federal Social Security Act, 42 U.S.C. 802, to the federal COVID-19 response fund established in section 2JJJJ of chapter 29 of the General Laws.

SECTION 4. Notwithstanding any general or special law to the contrary, the secretary of administration and finance shall expend funds allocated to the commonwealth from the Coronavirus State Fiscal Recovery Fund received pursuant to section 602 of Title VI of the federal Social Security Act, 42 U.S.C. 802 to protect against emerging public health threats or to support new, heightened, or emergency public health response efforts against the 2019 novel coronavirus and variants thereof. This section shall not apply to any funds transferred pursuant to section 3 to the federal COVID-19 response fund established in section 2JJJJ of chapter 29 of the General Laws.

SECTION 5. (a) For any expenditures authorized by section 4, the secretary of administration and finance may transfer funds to commonwealth departments and other public entities. Notwithstanding any general or special law to the contrary, the secretary shall require that all expenditures from the Coronavirus State Fiscal Recovery Fund pursuant to section 602 of Title VI of the federal Social Security Act, 42 U.S.C. 802 shall be spent in compliance with applicable federal law, including statutes, regulations and sub-regulatory guidance. Said secretary shall maximize federal revenue available to the commonwealth, and minimize the risk that federal funds are returned or left unspent due to noncompliance with federal requirements.

(b) The secretary of administration and finance shall require that departments and other public entities administering funds authorized by section 4 and all recipients and sub-recipients shall receive funds conditioned on their cooperation with applicable federal reporting and compliance requirements.

(c) The secretary may direct the use of money from the General Fund for purposes authorized by section 4 where the secretary has determined that reimbursement from the Federal Emergency Management Agency or another federal source is available to reimburse spending.

SECTION 6. The secretary of administration and finance, in consultation with the office of the comptroller, shall provide reporting on expenditures made by the commonwealth for the purposes identified in section 4 in the manner described by chapter 288 of the acts of 2020.”

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Hunt of Boston; and on the roll call 160 member voted in the affirmative and 0 in the negative.

[See [Yea and Nay No. 49](#) in Supplement.]

Therefore the amendment was adopted.

Sent to the Senate for its action.

Amendment
adopted,—
yea and nay
No. 49.

The House Bill financing improvements to municipal roads and bridges (House, No. 3903), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Chapter 90,—
municipal roads
and bridges.

After remarks on the question on passing the bill to be engrossed, (Ms. Peake of Provincetown being in the Chair) Mr. Moran of Boston moved to amend it by adding the following section:

“SECTION 9. Notwithstanding any general or special law to the contrary, the secretary of transportation shall include in the planning, design, permitting and construction of the Allston Multimodal Project the following requirements: (1) 2 tracks on the Framingham/Worcester commuter rail line shall be maintained during construction of the project with no reduced service unless it unduly delays the construction timeline; (2) a linear and continuous buffer park and multi-use pathway shall be constructed and maintained after completion of the project along the southern border of the project from Linden street to Agganis way; (3) a bicycle and pedestrian bridge shall be constructed connecting Agganis way to the Paul Dudley White Multi-Use path along the Charles river; (4) the I-90 Allston Intermodal Task Force shall remain operational through the completion of the project; and (5) the city of Boston Transportation Department Complete Street Guidelines shall be used for all street construction related to the project, provided, that it does not conflict with the federally recognized Massachusetts Department of Transportation complete streets guide and criteria.”.

The amendment was adopted.

Mr. Tucker of Salem then moved to amend the bill by adding the following section:

“SECTION 10. Notwithstanding any general or special law to the contrary, funds allocated to the commonwealth from the Coronavirus State Fiscal Recovery Fund pursuant to section 602 of Title VI of the federal Social Security Act, 42 U.S.C. 802, may be used for maintenance or pay-go funded building of transportation infrastructure, including roads.”.

The amendment was adopted.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Straus of Mattapoisett; and on the roll call 160 members voted in the affirmative and 0 in the negative.

Bill passed to
be engrossed,—
yea and nay
No. 50.

[See [Yea and Nay No. 50](#) in Supplement.]

Therefore the bill (House, No. 3903, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. Mariano of Quincy,—

Ordered, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M.

Next
sitting.

Accordingly, without further consideration of the remaining matters in the Orders of the Day, at three minutes before five o'clock P.M., on motion of Mr. Jones of North Reading (Ms. Peake of Provincetown being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.

